



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,776	02/06/2004	Sang-Soo Kim	70105.867	7884
33605	7590	07/09/2009		
Haynes and Boone, LLP IP Section 2323 Victory Avenue SUITE 700 Dallas, TX 75219			EXAMINER MOON, SEOKYUN	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 07/09/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Remarks

1. Prior to the discussion regarding the Applicant's arguments, Examiner respectfully submits that the Applicant's arguments regarding the newly presented claim limitation disclosed in the independent claims 1 and 12 are discussed in this correspondence only because the newly presented claim limitation in the claims 1 and 12 were disclosed in the other previously presented claims.

Response to Arguments

2. The Applicant's arguments filed on June 12, 2009 have been fully considered, but they are not persuasive.

Regarding the newly amended claims 1 and 12, the Applicant argues, "*The Examiner took the position that Park's Gamma Data Generating Unit 42 must store the digital gamma signals even if not explicitly so stated. Applicant traverses this rejection on the grounds that it is not necessary for Park's Gamma Data Generating Unit 42 to store the digital gamma signals, and Park neither discloses nor suggests storing the data in the signal controller 20. In fact, Park teaches away from storing the digital gamma data in the signal controller by teaching to output signals after generation (Park, paragraph (0044))*" [Remarks: pg 7 last full paragraph].

Examiner respectfully disagrees.

Examiner respectfully submits that the Applicant has failed to provide an explanation or a rationale of why/how it is not required for Park's Gamma Data Generating Unit 42 to store the digital gamma signals. Furthermore, Park's paragraph [0044] does not teach away from storing the digital gamma data. The paragraph [0044] teaches that the gamma data generating unit 42 generates the digital gamma data and outputs it after the generation. In order to generate different digital gamma data based on the inputted reference analog voltages and different gamma characteristics [par. (0034) lines 7-12], it is required to store the different digital gamma data corresponding to the reference analog voltages and the different gamma characteristics since such various different gamma data is measured or obtained based on experiments, and thus the digital gamma data is not generated just by converting the analog reference voltage to digital gamma data.

The Applicant further argues, *"The key to supporting any rejection under 35 USC 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. MPEP 2141-III. Rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." KSR v. Teleflex, 550 U.S. at, USPQ2d at 1396. Applicant respectfully submits that this standard for a valid rejection under 35 USC 103 has not been met because the Examiner does not explain why Park, contrary to its clear teaching on its face to use a signal controller that generates and outputs a digital gamma signal, would be construed as disclosing storing the generated data in the signal controller"* [Remarks: pg 8 1st full paragraph].

However, Examiner respectfully submits that the previous Office action does not rely on secondary references nor an obviousness of combining Park and the secondary references, but relies on Park only to address the above claim limitation. Thus, the Applicant's argument based on the above cited MPEP section and the case law is improper because the cited MPEP section and the case law are about the obviousness of the combination of the references.

The Applicant argues, "*However, viewing the combination of Park, Kudo, and Nakano, there is no teaching to modify the data drivers so that the selection of a gray voltage based on the analog gamma reference voltage that is associated with a particular pixel color is done by the data drivers*" [Remarks: pg 8 last 2 lines - pg 9 1st paragraph].

Examiner respectfully disagrees.

As very clearly explained in the previous Office action, Park teaches the concept of generating digital gamma data, converting the digital gamma data into analog gamma data, and selecting a gray voltage based on the analog gamma data in the data driver. Kudo teaches a concept of generating different digital gamma data for different colors of pixels. When the different digital gamma data for different pixel colors are processed in the apparatus of Park, Park's data drivers would receive different analog gamma data for the different colors of pixels and select a gray voltage based on the different analog gamma data.

Lastly, the Applicant argues, "*In fact, Kudo teaches away from having the data drivers make such selection because it teaches to adjust the gray scale voltages using a resistance ladder even before the signal reaches the data drivers*".

However, Examiner respectfully submits that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The combination of Park and Kudo is not based on a concept of incorporating the structure of Kudo into the apparatus of Park, but is merely based on the concept of applying the concept of Kudo, i.e. generating and processing different digital gamma signals for different pixel colors, to the apparatus of Park.

For the foregoing reasons, Examiner respectfully submits that none of the Applicant's arguments are persuasive and thus all of the rejections made in the previous Office action are proper.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEOKYUN MOON whose telephone number is (571)272-5552. The examiner can normally be reached on Mon - Fri (8:30 a.m. - 5:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 24, 2009
/S. M./
Examiner, Art Unit 2629

/Sumati Lefkowitz/
Supervisory Patent Examiner, Art Unit 2629